

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RONDAL M. CORNELL,

Plaintiff,

v.

Civil Action 2:11-cv-00097

Judge Edmund A. Sargus

Magistrate Judge E.A. Preston Deavers

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This matter is before the Court for consideration of the May 2, 2012 Report and Recommendation of the Magistrate Judge. (ECF No. 19.) The Magistrate Judge recommended that the Court grant in part and deny in part Plaintiff's Motion for Attorney Fees and Costs. (ECF No. 16.) Specifically, the Magistrate Judge concluded that although Plaintiff was entitled to an award of attorney fees, Plaintiff failed to satisfy his burden of justifying a rate above \$125.00 per hour.

The Report and Recommendation of the Magistrate Judge specifically advised the parties that failure to object to the Report and Recommendation within fourteen days results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report & Recommendation 5, ECF No. 19.) The time period for filing objections to the Report and Recommendation has expired. No party has objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge

Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b).

Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly, Plaintiff's Motion (ECF No. 16) is **GRANTED IN PART** and **DENIED IN PART** as outlined in the Report and Recommendation. The Court hereby **AWARDS** Plaintiff **\$1,737.50** in attorney fees.

IT IS SO ORDERED.

5-29-2012
DATED


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE